

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York Tuesday, December 20, 1988 at 7:30 p.m.

Present: Monique Gablenz, Deputy Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Absent: Joseph F. Janoski, Supervisor
Robert Pike, Councilman

Deputy Supervisor Gablenz called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting of December 6, 1988 be and are hereby dispensed with and approved without objection.

The vote, Boschetti, yes, Pike, absent, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Deputy Supervisor Gablenz, "Supervisor Janoski and Councilman Pike are ill and will not be attending the meeting this evening. Mrs. Pendzick, would you read the reports."

REPORTS

Conservation Advisory Council-Minutes of November 28, 1988. Filed

Planning Board-Approves final plat "Bridgewater Estates" and "Sun Up"; recommends special permit of Agway, Inc. be approved. Filed

OPEN BID REPORT - POLICE UNIFORMS

Filed

Bid Date: December 19, 1988
2 Bids Submitted

#1 NAME: MANNO UNIFORM AND SECURITY EQUIPMENT, INC.

ADDRESS: 3876 Merrick Road, Seaford, NY

TOTAL BID: \$36.39/Trousers
\$25.39/Long Sleeve Shirts
\$24.29/Short Sleeve Shirts

REPORTS Continued

#2 NAME: STANDARD LAW ENFORCEMENT SUPPLY COMPANY
ADDRESS: 857 Willis Avenue, Albertson, NY
TOTAL BID: \$38.45/Trousers
\$36.95/Trousers alternate to bid specs
\$27.80/Long Sleeve Shirt
\$24.95/Long Sleeve Shirt alternate to bid specs
\$24.30/Short Sleeve Shirt
\$22.60/Short Sleeve Shirt alternate to bid specs

Open Bid Report - Roof at Grangebél Park Pumphouse

Filed

Bid Date: December 19, 1988
4 Bids Submitted

#1 NAME: EASTERN COMMUNITY SIDING & CONTRACTING
ADDRESS: 1384 William Floyd Parkway, NY
TOTAL BID: \$10,439.62

#2 NAME: CASTLE RESTORATION
ADDRESS: 53-32 35th Street, L.I.C., NY
TOTAL BID: \$10,650.00

#3 NAME: KINGSWAY CONSTRUCTION
ADDRESS: 6914 8th Avenue, Brooklyn, NY
TOTAL BID: \$14,800.00

#4 NAME: MARANGOS CONSTRUCTION
ADDRESS: 837 Route 25A P.O. Box AT, Miller Place, NY
TOTAL BID: \$15,000.00

Deputy Supervisor Gablenz, "And the applications, please."

APPLICATIONS & PETITIONS

Richard Visone-Change of Zone, Route 25, Calverton from
Industrial A to Residential A.

Filed

Chesterfield Enterprises-Change of Zone and Special Permit
Horton Avenue, Res. RDC overlay on Agricultural A property.

Filed

APPLICATIONS, Continued

T.R.W. Realty Corp.,-Site Plan on Route 58, Riverhead, formerly Oakwood Inn.

Filed

Petition-Union Avenue Associates for Water Extension.

Filed

Deputy Supervisor Gablenz, "And Correspondence please."

CORRESPONDENCE

S.C. Dept. of Planning, 12/8/88-Resolved to disapprove application of Garal Realty for a Change of Zone.

Filed

Peter Danowski, Jr., 12/14/88-Requesting approval of bonds for section III and Section IV, Manors at Baiting Hollow.

Filed

Gregory Blass, 12/5/88-Re: leachwater from North Sea Land-fill.

Filed

Sherry Johnson, 12/14/88-Copies of response from various officials re: Calverton Lifecare.

Filed

S.C. Dept. of Planning, 12/14/88-Advising that application of Chesterfield Enterprises is not within their jurisdiction.

Filed

Roanoke Plaza Liquors, 12/5/88-Thanking Town Board for obtaining more State Troopers to area and asking that town police force be increased.

Filed

Deputy Supervisor Gablenz, "Thank you. The hour of the first public hearing has not yet arrived. Is there anybody who wishes to address the Town Board on any matter? Sherry."

Sherry Johnson, Manorville, "Occasionally I've gotten up here when something bothered me. Unfortunately tonight, the person I wanted most to hear what I have to say isn't here but I will read my statement anyway because I feel it's important. From time to time I've gotten up here to discuss issues when I have felt that your response or lack of response to them has been unsatisfactory. With the possible exception of Councilman Pike, I am not happy with this Board's continued negative attitude toward public land acquisition. In every other town in Suffolk County, acquisition has been considered as an alternative to development. But in Riverhead, acquisition is a dirty word. The idea is to dismiss with the excuses that there is no money available and the town already has enough land off the tax rolls. Recently Greg Blass has offered County assistance to acquire three different sites in our town. They are all wetlands and each has been designated as critical environmental areas by this Board. While it may not be feasible to acquire all three sites, I feel that you should at least give acquisition as an alternative, a hard look before it's cast aside. I strongly feel that the Cross River Project site should be acquired. Although acquisition of all three sites could easily be justified, this site makes the best planning sense. In addition to being a CEA, it is already surrounding by existing parkland. I feel that the people of Suffolk County which includes Riverhead, have demonstrated overwhelmingly for the past three years in a row that they support land

Sherry Johnson, Continued

land acquisition to support open space, environmentally sensitive areas and to protect groundwater. In 1986, 69% of the voters in Suffolk County supported the State Environmental Quality Bond Act. In 1987, 83% of the voters supported the Drinking Water Protection Program and 80% supported the referendum again this year. I really feel that you are out of touch with the people on this issue. I have put together a few examples of what other towns are doing. The articles are a reflection of the acquisition efforts being made by town officials in Brookhaven, Southold, Islip, Southampton and Easthampton. I hope that you will study them. You can't use the excuse that there is no money available any more. The articles tell of multi-agency acquisition efforts using funds from the County 1986 Open Space Program, the State EQBA or local bond acts. Additionally, we do have funds from the $\frac{1}{4}$ % Drinking Water Protection Program. With the passage of enabling legislation for this program, Suffolk County has more money available for land acquisition than any other county in the nation. Riverhead should be getting its share. As for the taking of land off the tax roll excuse, you as well as I, know that residential development does not increase the tax base. It drains it. Further more, I have also attached a copy of an article on which towns have the most land off the tax roll. The article appeared in February of this year and should interest you. Inventories of tax exempt land were completed for seven of the ten Suffolk towns. Riverhead was listed six with 23% of its total land off the tax roll. The towns of Islip, Brookhaven, Shelter Island, Easthampton and Huntington, all have a greater percentage of their land mass off the tax rolls than Riverhead does. I think it's time for you to embrace the idea and concept of acquisition. And I think the Cross River site is a great place to start. Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes ma'am."

Jan Moody-Arnold, Riverside, "I was not aware that this woman was going to be here this evening but I have been greatly disturbed. I've lived in the Riverhead area for 12 years and I've been greatly disturbed by your attitude of not wanting to acquire land which is now available but which will no longer be soon. And as you well know, as you lose or are off the tax roll, is a great deal of farmland which is taxed at a very low rate. But if you look at the example of Mr. Savatino's horse farm or his horse, I don't know what to call it. It's so magnificent. If you haven't seen it, you should. Certainly that will be paying a great deal of tax and that will offset, I feel, any acquisition that you might make. And certainly, if there is land available and you can.... Even if we have to pay for it at market rates to preserve and protect open space, especially marshland, will help to save all of Long Island. The ducks are there, all kinds of really odd species that you're not even aware of. I can't imagine.... I know Mr. Pike is for environmentally saving land. I can't imagine anyone who isn't and I can't believe... I have no background on this here other than what I've read in the paper. You know, little bits. But you people are all so good and nice. How could you not want to save marshland? You spend money on so many things that could be considered (in my mind) of questionable value. Why not go for it and really make a push. If there are three good sites available, how can you not buy them? That would be my ques-

PERSONAL APPEARANCES, continued

Jan Moody-Arnold, Continued

tion. And I hope that if you can and some way work it out, that you will. Because if you preserve the beauty of this Island, you will only get riches in return. If you get a Levittown here, we all might as well get in a boat and just keep going around in circles in the water because there won't be worth living here if it becomes.... I've seen it in the years I've been here since 1963. When we first came out here, coming out through Centereach and with Harrows and one tiny little strip of six stores and over there was a supermarket. There was nothing else. And now look. I'm afraid to drive through that road. Really and truly. It's so crowded and terrible now and it's coming this way so quickly. How could you not stop it or at least save what can be saved from greedy developers. It was only announced today that somebody has filled in over on our side. They filled in illegally three marshlands. Is that true? I hope...."

Deputy Supervisor Gablenz, "It's not a fill in of wetlands. It's not a complete fill in of marshlands. That's not what the difficulty was. I don't think they explained it fully."

Jan Moody-Arnold, "Do you have an authority to make them restore it to the way it was?"

Deputy Supervisor Gablenz, "We are passing a resolution tonight ordering them to clear it up."

Jan Moody-Arnold, "Thank you."

Deputy Supervisor Gablenz, "You're welcome. Is there anybody else who wishes to address the Board? We will start the resolutions since we have two or three minutes until the first public hearing."

Resolutions #769-#775 found on pages 1408- of the 1988 Resolution Book.

Deputy Supervisor Gablenz, "Let the record show that the hour of 7:45 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: The Matter of the Installation of water lateral mains within the proposed subdivision known as Fox Meadow.

(See Water District Minutes)

7:45 PUBLIC HEARING CLOSED AT 7:48

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Deputy Supervisor Gablenz, "The next public hearing does not begin until 8:05. So I thought perhaps we could proceed with the resolutions. Mr. DiPietro did you want to say something?"

Arthur DiPietro, I have just one request. When I was in Town Hall this afternoon, I learned that there is going to be a special meeting of this Board, I believe, on the 29th. I would request that if it's consistent with your anticipated agenda and the workload of the Town Attorney's office, to possibly schedule for that meeting, the proposed resolution and order that's a natural consequence and follow up of this public hearing. So that we may.... I'm trying to get all of the bonding items completed including the water main extension and so I can finalize my preparation for the performance bond and in anticipation of filing the map. And it would facilitate matters if you could act on it on the 29th rather than waiting until January."

Deputy Supervisor Gablenz, "The purpose of the meeting on the 29th is simply to clean up the books and to transfer all funds from 1988 to 1989. I'm sure the Board will consider it. If it's not possible on the 29th, it would be considered on January 3rd, I would expect."

Arthur DiPietro, "Either way would be fine then. Thank you."

Deputy Supervisor Gablenz, "If we could proceed with the resolutions. We're on number 776."

Resolutions #776-#798 found on pages of the 1988
Resolution Book.

Resolution #760 was brought off table and acted on.
(See Page of the 1988 Resolution Book)

Deputy Supervisor Gablenz, "We have a few minutes before the next public hearing at 8:05. Yes sir."

Dick Benedict, Fanning Blvd., "Resolution 779 appoints Bay Constable. I take it he is a full-time town employee now?"

Deputy Supervisor Gablenz, "Yes, he will be on January 3rd."

Dick Benedict, "Benefits and all? There was no clamming and no scalloping and no boat. What does a guy do until April? What is his function?"

Deputy Supervisor Gablenz, "This gentleman will be attending the part-time police academy for the town so that he will have training in the use of weapons and other matters."

Dick Benedict, "For three months approximately?"

Deputy Supervisor Gablenz, "it is quite a lengthy training course. Chief, how many hours is that? 400. It's quite a lengthy training course. There are some discussions he should have with some other departments. He should become aware of the town sur-

PERSONAL APPEARANCES, Continued

Deputy Supervisor Gablenz, Continued

roundings and some of the responsibilities that he'll have. We are in the process of trying to obtain a boat for him. So I expect that we will have that (hopefully) soon."

Councilman Boschetti, "I would like to add to that."

Dick Benedict, "What would he normally do for three months if he wasn't attending school?"

Councilman Boschetti, "That's what I wanted to address. Although it's called Bay Constable, the duties we anticipate this individual will be undertaking, are going to be much more expanded than that. We anticipate somebody that is going to be looking at a number of code provisions that concern the river and other recreational facilities. We've already discussed it somewhat with the chief. We are going to be working out an actual duty statement for this position. It will not be just boat riding on the bay. If that's what you envision because most people do."

Dick Benedict, "I envision wintertime on the bay with nobody out there with a full-time Bay Constable who rides herd. Who does he work for? The Chief of Police, the Superintendent, himself or what do we pay him for? Is he forty hours a week, 60, 24? Or is he just...."

Deputy Supervisor Gablenz, "He's a 35 hour week employee."

Councilman Boschetti, "And he's only one individual. So obviously he's not going to be out there 24 hours a day."

Dick Benedict, "He has specific duties and he has a boss?"

Councilman Boschetti, "Absolutely."

Dick Benedict, "Because like I said, there's no clamming, no scalloping, no boat. What are we going to do with the guy?"

Councilman Boschetti, "Well we do have seed clam programs in place and that's a number of things. There are things out there that need to be monitored and protected and patrolled."

Dick Benedict, "I just want to make sure he's on the payroll and he's working for us."

Councilman Boschetti, "Absolutely."

Deputy Supervisor Gablenz, "We have, Mr. Benedict, a duty statement prepared for this gentleman because there must be a duty statement prepared prior to his appointment through Civil Service. So there is a duty statement prepared. I think the Board is confident that he will be kept busy 12 months out of the year."

PERSONAL APPEARANCES, Continued

Dick Benedict, "And who does he report to?"

Deputy Supervisor Gablenz, "He will report to the Town Board working with the Chief of Police."

Dick Benedict, "Thank you."

Deputy Supervisor Gablenz, "You're welcome."

Councilwoman Civiletti, "As a Bay Constable, he could patrol shores and would enforce the wetlands."

Councilman Boschetti, "There are a number of things. It's a much expanded position."

Councilwoman Civiletti, "Will he be carrying a fire arm Chief? Is that part of what his training at the academy going to be?"

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on any matter?"

Gene Albert, Ostrander Avenue, "Last week after numerous false alarms by the Social Security Administration Building, I went to the Police Department to swear out a complaint against the supervisor of the Social Security Building in homes that either he would rip the alarm out or get it repaired because it went off about eight times starting at 10:30 at night and continuing until 5:30 in the morning. It was at that time that I learned the ordinance against the alarms is on hold is not in effect. Is the Board aware of that or is just the Police Department aware of that?" It was my impression that the original ordinance that was written said that the alarm could not ring more than a half an hour. If it does, there's a fine and all sorts of remedies to go in place. And when I went down to the Police Station and asked to sign a complaint utilizing that section of the town ordinance, I was told that it was put on hold and they are not enforcing it."

Deputy Supervisor Gablenz, "Mr. Albert, I would have to say that I believe you are correct. There was an attempt by the Board to pass that but it was asked to be tabled. And we will certainly ask the Town Attorney's office to check out whether it is in force. I do not believe that it is. I believe the Police Department is correct. But I am sure that the Town Board will take it into consideration now that you have brought it to their attention."

Gene Albert, "Does a sleepy citizen have any recourse at this time?"

Councilwoman Civiletti, "Wake up the Town Board."

Gene Albert, "I happen to find out who the supervisor is and I intend to call him at night when I get up and wake him but I really don't know if the police would appreciate it because I assume that he can call the police and say that I'm harrasing him at 5:30 in the morning. But I really feel very strongly. That

PERSONAL APPEARANCES, Continued

Gene Albert, Continued

was only the Social Security but there are many alarms that go off at night because that's when the buildings are closed and the alarms ring continuously and disturb the people in the area."

Deputy Supervisor Gablenz, "You're right Mr. Albert but we would encourage you not to make a personal phone call to the individual because it is harrassment."

Gene Albert, "I can call the Chief of Police at night and have him call."

Deputy Supervisor Gablenz, "You can call the police station."

Irene Pendick, Town Clerk, "The alarm ordinance is not in effect."

Deputy Supervisor Gablenz, "Is there anybody else who wishes to address the Board. I'm sorry. Let me hold off on that. We have the next public hearing which is late and was due to begin at 8:05. So will you let the record show that the hour of 8:08 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: Special Permit applicatoin of Antonio Militello for the construction of a 5-story office building at property located on the east side of Peconic Avenue.

Charles Cuddy, Attorney, "I had earlier called and asked that this would be adjourned because the applicant has a pending matter before the Planning Board and I'd like to have the Planning Board's report. This is the same matter before the Planning Board. I would also just ask that the record be corrected to show that this is not for a 5-story building. But it's simply a coverage question. It's a coverage question from 80% to 100% in that district. But I would respectfully ask the Board to either adjourn this or to simply permit us to come back at a later date sometime at the end of January so that the Planning Board first gives its recommendation and then we appear at that time."

Deputy Supervisor Gablenz, "Ok Mr. Cuddy. I just want to point out that it has been corrected on the agenda to show that the application is for increased lot coverage rather than a height question. We certainly will adjourn this public hearing for you but we will renotece the public hearing when we do have it."

Charles Cuddy, "Ok. Thank you."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "We have five minutes until the next public hearing."

8:05 PUBLIC HEARING WAS ADJOURNED UNTIL FURTHER NOTICE.

Alice Graff, Riverhead, "I would like to take this opportunity to express my wishes for the Town Board's new year. First, that all of you have a happy, healthy and blessed Christmas and New Year. Number two; that with the hiring of a town engineer, that this act will dispense with one area wherein exists conflicts of interest. Number three, that the Board will work hard to preserve what little is left of our rural way of life, including preservation of areas vital to our quality of life. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Graff, we appreciate your comments. We thank you very much. If I can just point out that we did appoint a town engineer but the gentleman declined that position. So we have to continue the search for a town engineer."

Alice Graff, "But when it does happen, I hope that further conflicts of interest will be eliminated. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else? Mrs. Arnold. Any subject for three minutes."

Jan Moody-Arnold, "I wish to address the Board on a matter that's particularly a difficult thing I've had with a group of young people. They're not children now. Five years ago they were children. And now that they've grown up, they're worse, much worse. I have been harrassed."

Deputy Supervisor Gablenz, "The Chief has stepped outside."

Jan Moody-Arnold, "I was hoping that he would be here because it's his department (in my mind) that's at fault. And the most recent thing, I'm not going to comment on it now but I did make a police report. I tried to meet with juvenile people. I was unable to do so two Sundays ago. The same children, the same thing. I went into the pizza place on Main Street. I was harrassed, cursed upon, outrageous they are. I don't know who these kids are. They don't know me. I've done nothing to them but I was cursed at and words I would never repeat, inside the restaurant. The owner declines to do anything about it because he doesn't want a scene made. But they were making a scene. I was a victim of it. It was a bitter cold Sunday and we had left the Congregational Church where the meeting was to bring together the community. If you met these kids, you'd want to pick them up and throw them out the window. They are really crummy, rotten young people and they ought to be called so. It's the same gang and they're a lot of them. They go from Main Street. They say Riverhead Police come, smoke, they vanish. Then they go over to Southampton. They see a police car coming, back over here. They continue to rove and harrass everybody in the whole area all of the time. All day, all night. They have no respect. A disrespect that is undescrivable for any apparantly older caucasian woman. Nobody goes there. Not even in daytime. You can't. They all should be in school but they're not. We have to

PERSONAL APPEARANCES, Continued

Jan Moody-Arnold, Continued

pay for them on ten different levels of government and I resent it and I want to see it stopped. I think I called yesterday morning. No. This morning. I was unable to get any satisfaction from anybody for the last... Two in one day. Last evening I called hoping a police officer was supposed to respond. He got an urgent call on something else, ok. I called JAB this morning and I attempted to talk with some lady. I won't describe her at this point. But she all of a sudden had to go somewhere. I couldn't make an appointment with them. I couldn't do anything about it. The police couldn't do anything about it. And I said to her, I had to call back. And a young woman got on the phone and she said to me and I will quote this as best I can remember. I said is this Barbara? She said no. Mrs. Grattan is very busy on another wire. We have looked into the matter and we find that there is very little merit to it and nothing will be done. Merry Christmas, bang. Now all the other ladies that I know because I am on the other side of the river, I bought that house hoping that I would be able to walk here in bad weather and I would rather not drive. You can't walk from there to here. All the ladies in the trailer park are really up in arms. They're furious. One lady that I know who is 84 years old, last year when this happened, it could have been the year before, got mugged. Forgive me but I can't help it. Around the corner behind Getty Gas there is a patch of woods. I called that the golden triangle. Pine Street, 24 and 104. Three young black men, big tall, this lady is about that high and weighs about 80 pounds soaking wet. They shoved her onto the ground, broke her nose, broke her wrist. Took her bags and it was just at sundown. They ran back into the woods. Nobody was ever able to find them. She was going to sell her home and I said what do you think about it. She said yes, I've decided I like it here and I am going to stay here. I ran away from Vermont. I want to be here away from my family. I'm going to stay and stick it out. But I suggest that something be done about that whole band. The poeple of the Mini-Cini, last film they had last week, they had six persons there. You park your car over in the lot, it gets broken in to. The same bunch of kids. They have threatened and cursed at beautiful Mrs. Smith. Have you seen her? The most gracious lady you ever want. They hang out. They sit on the thing by the step. She came out once and she said, girls could you please be quiet. These are girls and boys. Could you please be quiet. The people can't hear the movie. They called her names she had never heard in her life before. And I think that's horrible. They don't dare call the police because they're afraid. But if they do make a police complaint, they'll come back the next morning and they'll have no windows. Now if this town is going to give in to about 20/25 vicious young people, then we've lost the whole battle. People want to know why there's not enough business on Main Street. You don't dare. They'll mug you in mid-day at noon. They'll steal your purse and run. They don't care. It's not fair that all of us that pay the taxes to support these kids should have to run and flee and let them take over the town. If that's what you want to do, do it. I'll stay here and I'll protect myself one way or another. But a lot of the elderly people who want to walk up here and have no other choice, they have to hide and I'm tired of it and don't

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PERSONAL APPEARANCES, Continued

Jan Moody-Arnold, Continued

want it and I feel that the police and the JAB could do a great deal more than they are apparently willing to do. Thank you."

Deputy Supervisor Gablenz, "Let the record show that the hour of 8:18 has arrived. Will the Town Clerk please read the notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:15 p.m. to hear all interested persons who wish to be heard regarding: Special Permit application of North Fork Plumbing Supply, Inc. for the expansion of its business to include the use of a pre-existing non-conforming building and an addition of an asphalt parking area at Route 25, Riverhead, NY.

Deputy Supervisor Gablenz, "Is there anyone representing the applicant? If you would please state your name and address for the record."

Steve Tsontakis, Engineer, "I'm an engineer with my practice in Riverhead at 632 Roanoke Avenue. We're here representing the North Fork Plumbing. I have a site plan for you. I think it would be easier to explain this. North Fork Plumbing presently has a facility on West Main Street on the north side. And this application is for a use permit for the adjoining building which North Fork Plumbing, the adjoining building to the west which North Plumbing wants to acquire and use as a general warehouse area and a counter outlet for the goods. Their business is primarily a wholesale business dealing with plumbers and other tradesmen. We don't anticipate... We anticipate virtually no (quote, unquote) retail trade from the public because it's not that kind of a business. The existing building is used as a tavern at the present time. And of course, we intend to improve the building, its appearance and the site in terms of providing adequate paving for parking and the appropriate landscaping to beautify the area. This property, actually, is contiguous with the existing property and there will be a gate which will allow access from one site to the other. So we're here today requesting a use permit as a warehouse with a counter and office space."

Deputy Supervisor Gablenz, "Thank you, Steve. Is there anybody else who wishes to address the Board on this particular matter? Doug. Alice, if you could just let Doug Reimer first."

Douglas Reimer, W. Main Street, "One of the questions that I have on this is the necessity of paving the parking area. Due to the proximity to the river and the runoff from the oils and the gas and whatnot which goes out onto 25, down into drains on 25, goes directly into the river where there would not be more advisable to put in a gravel and a sand driveway so there would be

PUBLIC HEARING, Continued

Douglas Reimer, Continued

some perking and the oils and gas do not go directly into the river. Secondly, as an expanding operation, one concern of one of my neighbors is that there are a lot of trucks right now which are on the street as opposed to being in the parking lot and whether or not it would be possible to move the operations from the street into the parking lot itself. Other than that, I have no problem whatsoever with the business or what they're doing. But I think it would be better. Unfortunately, right now it's 55 on our speed limit there and people tend to go a h--- of a lot faster coming off the Expressway, especially in the morning trying to get into downtown Riverhead. And it would probably be a lot safer if the operation was moved into the area itself of North Fork Plumbing as opposed to being on the street. Thank you."

Deputy Supervisor Gablenz, "If I could just.... This question is particularly with regard to the use of the building. There will be a point where the Board will be considering the site plan, making some adjustments to the site plan and working with the applicant. So this particular question is on the use of the building and you have no objection to the use. And the Town Board will certainly take your comments into consideration in their site plan review and hopefully, we'll be able to incorporate them and work out something to everybody's best use. Thank you Doug. Is there anybody else who wishes to address the Board on this matter? Mrs. Graff did you want to talk?"

Alice Graff, Riverhead, "Well actually, I was going to talk about so much blacktop and so actually that goes into the site plan. So just not to have so much blacktop."

Deputy Supervisor Gablenz, "Is there anybody else who wishes to address the Board? That being the case and without objection, I declare the hearing closed. Let the record show that the hour of 8:25 has arrived. Will the Town Clerk please read the notice of public hearing."

8:15 PUBLIC HEARING CLOSED AT 8:25

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:25 p.m. to hear all interested persons who wish to be heard regarding: Special Permit Application of Michael Sendlewski to erect a modular home at Osborn Avenue.

Michael Sendlewski, Riverhead, "At this present time I live on Lincoln Street. I'd very much like to move around the corner to Osborn Avenue. That's why we're here. The reason we're here is I'm trying to put a house between two stores. The reason I'm trying to do that is because I already own the property. You know yourself by looking at the News Review and other area papers, what the property is going for. I'm not in

Michael Sendlewski, Continued

the financial position at this time to buy a piece of property and put up a house. Being that I own the property, I would like to put up a house there. I'm trying to get into the community type deal. I've gone through the Zoning Board of Appeals already. I've gotten their okay. Being next to Christmas time and I've got a wife that wants a house bad. We're kind of hoping that we can get things done so that we can get the building under way. We've signed a contract already. We laid our money out, everything we've got. I don't want to lose the price involved. If it's delayed, it could hinder us financially. I'm living in town. I'm just trying to raise a family. So I'd like to ask the Board to okay the special permit tonight if possible. So that we can go to the Building Department and received our building permit. I don't know how town government works that well. I've been kind of shuffled around here. We're here tonight and now I understand that we're supposed to go before the Planning Department. I don't know what the deal is. I'm putting a house between two stores. I know where I'm putting it. I know that Newsday drops their papers at 2:30 in the morning on Sunday. I know that Louie Frank opens at 6 o'clock. I'm moving into their territory. It's not up to me to build a house and then tell them to shut down. It's the only place I can afford. I respectfully ask the Town Board to please grant my permit tonight so I can put a house up."

Deputy Supervisor Gablenz, "Thank you very much. Is there anyone who wishes to address the Board on this particular matter?"

Patricia Moore, Town Attorney, "Mr. Sendlewski, just to clarify. You don't have to go to the Planning Board. The Town Board, by way of the special permit application, refers your request to the Planning Board and then the Planning Board makes a recommendation to the Town Board. So what we're waiting for at this point is a recommendation from the Planning Board."

Michael Sendlewski, "Can I ask for a clarification? I have 741 here where it determines the lead agency and the environmental significance of the special permit application. And it says that the Planning Board Department concludes that the action should be considered an unlisted action. Now I don't know what this is. So maybe if you'd enlighten me to that. I thought or I was led to believe that the Town Board is the one in charge. And if they say yes tonight, then we can go ahead and start banging our fingers with hammers."

Patricia Moore, "What you're looking at is the State Environmental Quality Review Act. That's the process the town has to follow. It's a review process for any environmental effects that your project would have. And we've gone through that process. At this point we have the public hearing. And the next step is for the Town Board to approve or deny after the Town Board has received recommendation from the Planning Board."

PUBLIC HEARING, Continued

Michael Sendlewski, "Alright. Then can I ask it this way? Would the Town Board approve it on condition that as long as the Planning Board, at their next meeting, doesn't object. So that the next time the Planning Board meets, that it can go through and that we can go ahead and get the building permit. Is that possible?"

Deputy Supervisor Gablenz, "I don't know that the Building Department would issue a permit without everything being in place. But Mr. Sendlewski, if we could just conclude with the hearing tonight, talk to the Town Board and see what we can come up with. There is a Special Board Meeting of the Town Board on December 29th. We try and keep the business of that meeting very short. But if it's the Town Board's decision to grant a special permit at that time, I'm sure they would consider it for that Special Board Meeting. It would give us the opportunity to talk to the Planning Board and make sure that we have everything in place that is required. We don't want to see you get to the Building Department and have a problem in that they're saying you can't get the building permit because not everything is here. Let us put everything in place for you and then go to the Building Department and you shouldn't have any problem."

Michael Sendlewski, "Thank you very much."

Deputy Supervisor Gablenz, "You're welcome. Yes, Mr. Benedict."

Dick Benedict, "I have nothing against modular homes. I don't even know this gentleman. As a matter of fact, I've got children that can't afford homes in Riverhead but is there anything in the Town Code, say even a special permit, that would prevent this from six months from now or a year from now, turning into a rental income or being sold as business or any other modular home in town for that matter? With a special permit is there any covenants in there that would prevent this from coming a rental income in six months or a year?"

Deputy Supervisor Gablenz, "There is nothing in any Town Code that prevents anybody from renting their property."

Dick Benedict, "Even though this is a special permit granted to him for a modular home, he could move out in two months and this could become a low income rental."

Councilwoman Civiletti, "I just want to clarify something. He had to get a variance in order to erect a modular which I understand he got already. Is that right Mr. Sendlewski. The subject of this is whether or not we will allow him to put a residence by special permit, in a business zone."

Dick Benedict, "This has got nothing to do with his property per say."

Councilwoman Civiletti, "You're asking if we can limit the special permit such that he would not be able to convert it to a rental."

Dick Benedict, "Shouldn't there be something like that in the Town Code since we're making special privileges? This is probably, that I know of, maybe the sixth modular home in town. I'm not against modular homes. Don't get me wrong. But what's to prevent him from moving out two months after the c.o. and renting it out?"

Councilman Boschetti, "Any home can be rented Dick."

Dick Benedict, "It seems like these are special permits. They're something different from a regular home."

Councilman Boschetti, "It's the zoning, Dick."

Dick Benedict, "There have been other modular homes in town that went on smaller lots. They're much cheaper. I know of at least four that went on undersized lots, grandfather clause and things like that. And there is nothing in there that would prevent anybody from renting these out in six months."

Councilman Lombardi, "But those were residential areas, Dick. All they have to do is go to the Zoning Board for a variance on the site."

Dick Benedict, "I just asked. I'm not against modular homes."

Councilwoman Civiletti, "There's nothing in the code that prevents anybody from renting out any house whether it's stick built or not."

Dick Benedict, "They're not all special permits."

Councilman Boschetti, "You're missing.... The reason for this permit is not...."

Dick Benedict, "This is a zoning problem. There are others that go back to small lots and things like that."

Irene Pendzick, Town Clerk, "You should know that this is not a modular home like you see in a mobile home park. This is a two-story house."

Dick Benedict, "I understand that. I just asked a question."

Deputy Supervisor Gablenz, "The question is not whether it's modular or not. The special permit before us is on zoning. But when you asked the question of whether we can covenant and put a restriction on whether they could rent, I would say no. I think it would be considered unconstitutional."

Dick Benedict, "Thank you."

Deputy Supervisor Gablenz, "Ms. Arnold, we have about one minute before the next public hearing. I need you to step up to the microphone."

Jan Moody-Arnold, "I don't believe this. I truly don't that you would entertain something like this. Maybe this is what's going wrong with everything here. What's to keep any crafty speculator from getting a substandard lot, going through the process. Who then would have the nerve to put out a lot of money and then cry, do it for me, it's Christmas. Bologna. I have had enough experience with small town politics. What's to keep anybody from buying any substandard lot, going through it and selling it and making a hundred thousand profit. That's not fair. If modular is good for one, it should be good for all without having to go through.... I think you should stop and turn back. Are you going to allow it? Yes or no. Are modular homes legal, safe and proper? Fine. If it is, everybody has got to do it."

Councilwoman Civiletti, b "What the Town Code says, in order to build a modular house in any district, you have to get a variance from the Zoning Board of Appeals. The subject of this hearing is whether or not the applicant can put a residence, modular or non-modular in a business district. That's the subject of this."

Jan Moody -Arnold, "I understand that. It isn't how it read. If modular homes are allowed and they're okay, I know what a modular home is. I knew when they were twenty years talking about doing it. If one can do it, let everyone do it. Is the town going to say yes it's okay or no? Or give a particular person special privilege? That's not fair. That's not this country and that's not the way we were set up and loathe people that are doing things that are good for one but not for the rest of us. It's not fair. It's not right. I don't believe it's America."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on this particular application? Mr. Sykora, did you want to speak on this public hearing?"

Joseph Sykora, Riverhead, "There's a lot of people that have the wrong conception about a modular home. Some modular homes are built better than the houses."

Deputy Supervisor Gablenz, "Thank you. Is there anybody else who wishes to address the Board? That being the case and without objection, I declare this hearing closed. Let the record show that the hour of 8:38 has arrived. Will the Town Clerk please read the notice of public hearing."

8:25 PUBLIC HEARING CLOSED AT 8:37

PUBLIC HEARING - 8:35 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:35 p.m. to hear all interested persons who wish to be heard regarding: Change of Zone Application of Richard Visone on 4.6 acres at Route 25, Calverton from Ind. "A" to Bus. "CR".

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Mr. Cuddy, you're back again."

Charles Cuddy, Attorney, "This application concerns a 4.6 acre parcel which is immediately east of the delicatessen that's next to the Calverton Post Office or which is within one store away. So we know where it is. The owners own a large parcel. Their parcel consists of 46 acres. The 4.6 acre parcel is not only immediately east of the delicatessen but it's the road frontage from some 300 odd feet going again, east of the delicatessen. It's vacant land at present. They ask that it be rezoned from industrial "A" to business "CR". They started this application in April and it's now Christmas. So they had thought it would work from Christmas to April but of course it takes a little bit longer than that. We would respectfully request though, because this application has been around for a while and has been before the Town Board in connection with the SEQRA process. It has been before the Planning Board. I've discussed it on a number of occasions with people in the Planning Department and I understand it meets (certainly) the generic environmental impact statement that has been prepared in connection with this area. The area around it is in part, business. Of course the Post Office is there across the way. There's a restaurant to the north of this area. There are several hundred home lots that are in various stages of development but the subdivisions have been approved for those lots. And I anticipate, my client anticipates that this will be a hamlet center. And I think the town does also. I would ask that you make a part of the record just for record purposes, both the current zoning map and also the Planning Board recommendation which is dated the 14th of October. My client intends (eventually) to have, in accordance with the "CR" district, various retail type stores that would be community stores, small stores, drug store, a pharmacy type store, perhaps a personal service store like a barber shop, tailor. That sort of thing. I believe it appropriate for that district and I think the town, by its studies, and I would ask that the Board approve this application. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone who wishes to address the Board on this matter? That being the case and without objection, I declare this hearing closed. We have five minutes until the next public hearing. Is there anyone who wishes to address the Board on any matter? Mrs. Graff."

8:35 PUBLIC HEARING CLOSED AT 8:40

Alice Graff, Where is Mr. Kasperovich? He hasn't been here."

Deputy Supervisor Gablenz, "Sadly to say, Mr. Kasperovich's sister is very ill and he has been caring for her in Manhattan."

Alice Graff, "It would have been an opportunity for Mr. Kasperovich."

PERSONAL APPEARANCES, Continued

Deputy Supervisor Gablenz, "We will tell him that and we appreciate your comments. We'll take a five minute recess and we'll be back at 8:45."

TOWN BOARD MEETING RECESSED AT 8:40

TOWN BOARD MEETING RECONVENED AT 8:45

Deputy Supervisor Gablenz, "Can we let the record show that the hour of 8:52 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:45 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:45 p.m. to hear all interested persons who wish to be heard regarding: Application of Shorewood Water Corp. to extend its franchise with the Town of Riverhead.

(See Water District Minutes)

8:45 PUBLIC HEARING CLOSED AT 9:06

Deputy Supervisor Gablenz, "Let the record show that the hour of 9:06 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 20, 1988 at 8:55 p.m. to hear all interested persons who wish to be heard regarding: A petition for a lateral water main in the Subdivision of Warsaw Park.


(See Water District Minutes)

8:55 PUBLIC HEARING CLOSED AT 9:08

Deputy Supervisor Gablenz, "That's all our business for this evening. Is there anyone who wanted to talk to the Board on any matter? That being the case, I wish you all Happy Holidays and a Happy New Year."

There being no further business on motion or vote, the meeting adjourned at 9:08 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk